

18A:39-20.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:39-20.1 (School children--transportation to and from activities--authorize use of certain private vehicles)  
LAWS 1981 CHAPTER 51

Bill No. A687

Sponsor(s) Burstein and Gormley

Date Introduced Jan. 17, 1980

Committee: Assembly Education

Senate Education

Amended during passage Yes **X** Amendments during passage denoted by asterisks

Date of Passage: Assembly May 19, 1980

Senate Oct. 9, 1980

Date of approval Feb. 25, 1981

Following statements are attached if available:

Sponsor statement Yes **N** Also attached: Senate amendment, adopted 9-29-80 (with statement)

Committee Statement: Assembly Yes **N**

Senate Yes **N**

Fiscal Note ~~Yes~~ No

Veto Message ~~Yes~~ No

Message on signing Yes **X**

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Attorney General's opinion (mentioned in Assembly committee statement) was an Informal Opinion (September, 1972)

51  
2-25-81 81  
[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 687

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1980

By Assemblymen BURSTEIN and GORMLEY

Referred to Committee on Education

AN ACT concerning the transportation of school children and supplementing chapter 39 of Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. **\*[Any]\*** *\*Notwithstanding any statute or regulation to the*  
2 *contrary, any\* board of education\*\*, governing body of a non-*  
3 *public school\*\* \*or State agency\* may authorize qualified school*  
4 *personnel, \*\*State employees\*\* or parents, to transport school*  
5 *children to and from related school activities in a private vehicle*  
6 *with a capacity of **\*[six]\*** \*eight\* or less. \*\*Any person authorized*  
7 *by a board, body or agency to provide such transportation services*  
8 *shall not be required to be licensed or regulated as a school bus*  
9 *driver.\*\* \*\*\*Such transportation shall be exempt from all registra-*  
10 *tion, equipment, inspection and maintenance requirements imposed*  
11 *on the transportation of pupils by school bus.\*\*\**

1 2. This act shall take effect immediately.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

SENATE AMENDMENT TO  
**ASSEMBLY, No. 687**

[SENATE REPRINT]

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**STATE OF NEW JERSEY**

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ADOPTED SEPTEMBER 29, 1980

Amend page 1, section 1, line 9, after "driver.\*\*", insert "Such transportation shall be exempt from all registration, equipment, inspection and maintenance requirements imposed on the transportation of pupils by school bus."

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**STATEMENT**

This amendment clarifies that those authorized to transport school children by virtue of this act are not required to have registration, equipment and the inspection and maintenance requirements as are required of school buses.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 687**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: MAY 1, 1980

**PURPOSE:**

Assembly Bill No. 687, as amended, permits staff members of schools and State agencies as well as parents, to transport students to and from related institutional activities in a private vehicle, or a vehicle owned by the institution, with a capacity of eight or less.

**BACKGROUND:**

As the result of an Attorney General's opinion several years ago, teachers, coaches, and other school staff without a bus driver's license were prohibited from carrying a student to and from a school related activity. This has become extremely burdensome and costly for school boards and State agencies, such as the Commission for the Blind, who have single students and small groups to transport but who do not need large capacity vehicles such as a Type I or even a Type II school bus.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 687**

[OFFICIAL COPY REPRINT]

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: JULY 28, 1980

**PURPOSE:**

Assembly Bill No. 687, as amended, permits staff members of schools and State agencies as well as parents, to transport students to and from related institutional activities in a private vehicle, or a vehicle owned by the institution, with a capacity of eight or less.

**BACKGROUND:**

As the result of an Attorney General's opinion several years ago, teachers, coaches, and other school staff without a bus driver's license were prohibited from carrying a student to and from a school related activity. This has become extremely burdensome and costly for school boards and State agencies, such as the Commission for the Blind, who have single students and small groups to transport but who do not need large capacity vehicles such as a Type I or even a Type II school bus.

**SENATE COMMITTEE AMENDMENTS:**

The amendments clarify the intent of the legislation and extend the exemption to nonpublic schools.

ASSEMBLY, No. 687

STATE OF NEW JERSEY

INTRODUCED JANUARY 17, 1980

By Assemblymen BURSTEIN and GORMLEY

Referred to Committee on Education

AN ACT concerning the transportation of school children and supplementing chapter 39 of Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Any board of education may authorize qualified school per-  
2 sonnel, or parents, to transport school children to and from related  
3 school activities in a private vehicle with a capacity of six or less.

1 2. This act shall take effect immediately.

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STATEMENT

Some boards of education find it overly burdensome meeting the regulation requiring licensed school bus drivers to operate vehicles with a capacity of six or less when used to transport school children.

This legislation would allow boards of education to authorize qualified school personnel, or parents, to transport school children to and from school related activities in private vehicles with a capacity of six or less.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 25, 1981

KATHRYN FORSYTH

Governor Brendan Byrne signed the following bills today:

A-246, sponsored by Assemblyman John W. Markert (R-Bergen), which permits any county having a planning board to provide for the review and approval of site plans for land development affecting county drainage facilities.

County planning boards already have the power to provide for review and approval of site plans for land development along county roads.

An exception under A-246 is that site plans for land development not located along a county road which include less than one acre of impervious surface would not require approval. The bill also exempts single-family residential development.

A-687, sponsored by Assemblyman Albert Burstein (D-Bergen) which permits parents, school employees or state employees to transport children to and from school-related activities in a private vehicle with a capacity of 8 passengers or less without requiring the driver of the vehicle to be licensed as a school bus driver and without requiring that the vehicle meet the requirements of a school bus.

Current law has been interpreted as requiring all drivers and vehicles transporting children to meet school bus requirements. The driver must be licensed as a school bus driver, which entails a yearly physical, fingerprinting and written drivers test. The vehicle must have a fire extinguisher, a first aid kit, clear access to an exit for every child and all seats must be facing forward. In addition, a \$33 registration fee must be paid.